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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Consideration of reports submitted by States parties under article 35 of the Convention

Initial reports of States parties due in 2012

Ethiopia*, **

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I. Definition of concepts, principles and general State obligations

A. Disability and persons with disabilities

1. Before the introduction of the latest understanding of the concept of disability as a notion consisting in the elements of social or human right, the most prevailing definition of disability has been that of the medical and traditional perception of physical limitation and health and subsequent inability of earning livelihood. Disability was formally defined for the first time in Ethiopia in 1971 under an imperial order issued to establish an agency on disability. Emperor Haile-Silassie gave order No. 70/1971 to provide for the establishment of the rehabilitation agency for the disabled. This imperial order defines a person with a disability as, "Any person who, because of limitations of physical or mental health, is unable to earn his livelihood and does not have one to support him and shall include any person who is unable to earn his livelihood because of young or old age".

2. This definition represents an approach of identifying disability with health with a consequence of being unable to earn livelihood and absence of a person to support. By virtue of this definition, persons with disabilities were taken to mean people who have no capability to make life and need persons to be supported. Since the definition focused purely on the failure to earn the means of life, it was extended to cover even those who need support due to young or old age. One cannot use this definition for the purpose of collecting and analyzing data to produce a State report under the Convention on the Rights of Persons with Disabilities. The reason is that both the purpose and essence of the traditional definition does not fit the present context under which disability and persons with disabilities are perceived. Moreover, the definition is not practically useful since there are a number of persons with disabilities who were considered incapable of earning a livelihood, but are productive today, not only supporting themselves, but also contributing to society and the nation at large. Disability was defined for the second time in another piece of legislation issued in 1994. This was proclamation No. 101/1994 on the employment right of persons with disabilities.

3. The proclamation slightly modified the traditional definition given under the imperial order of 1971. Yet, even this time, persons with disabilities were presented in terms of their physical, metal and sensory incapacities with little association with the external barriers. According to the 1994 proclamation disability refers to "a person who is unable to see, to hear to speak or suffering from injuries to his limbs or from mental retardation, due to natural or manmade causes; providing however, the term does not include persons, who are alcoholic, drug addicts and those with psychological problems due to socially deviant behaviors".

4. Although the presentation is slightly different from the previous notion in that the 1994 definition is more functional with no reference to the question of inability to support one self, it was a definition based on the individual model of understanding disability, which focus simply on impairments or physical features. This approach did not still consider the social or human right element of the concept of disability.

5. The latest authority on the definition of disability in Ethiopia is the 2008 employment right legislation. Article 2 (1) of the proclamation reads as follows: "Person with disability" means an individual whose equal employment opportunity is reduced as a result of his physical, mental or sensory impairments in relation with social, economic and cultural discrimination (employment Right proclamation No. 568/2008, art. 2/1).

6. Even in this piece of legislation, we see that the term disability has not been directly and clearly defined. Instead of directly addressing the term disability, the legislator seems to have decided to define a person with a disability. This is more or less an approach adopted by the Convention on the Rights of Persons with Disabilities. We find the following definition in the Convention: "Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others" (art. 1).

7. The Federal Civil Servants Proclamation No. 515/2007 seems to have adopted the same definition given under proclamation 568/2008. One minor difficulty to be noted here may be that Proclamation No. 515/2007 was issued before the employment right proclamation No. 568/2008 and, therefore, the reference made in the former legislation cannot mean the one in the later proclamation. However, this is technical and does not add any value to the definition problem. Article 13 (4) of the Federal Civil Servants proclamation provides that, "The definition of disability applicable in the appropriate law relating to disability shall also apply for the purpose of this article".

8. The recent definition of the concept of disability in the Ethiopian context can be observed in the National Plan of Action of Persons with Disabilities 2012–2021. In this document, on page 1, the general term of disability which is in conformity with the Convention is stated. "Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others" (Convention on the Rights of Persons with Disabilities, art. 1).

9. We therefore, find that as is the case globally, at present, Ethiopia has adopted the social or human right perspective of disability by incorporating the definition given by the Convention in its totality. It should be noted however, that there is a need to develop contextual and formal definition of disability in the sense of addressing all issues and cases of disabilities in order to have a clear understanding both for data collection and program implementation.

B. "Reasonable accommodation" and "disproportionate or undue burden"

10. Such concepts as reasonable accommodation, undue burden, universal design, etc., are theoretically new to the Ethiopian legal jurisdiction at least from disability point of view. The ideas of reasonable accommodation and disproportionate or undue burden were introduced for the first time in 2008 through the enactment of the proclamation for the employment right of persons with disabilities. Within the context of employment, we understand reasonable accommodation to mean "an adjustment or accommodation with respect to equipment at the work place, requirement of the job, working hours, structure of the business and working environment with a view to accommodate persons with disabilities to employment". The perception is very much close to the one in the Convention on the Rights of Persons with Disabilities except that, in the Ethiopian context, it is specific to employment. The notion of disproportionate or undue burden is also understood to refer to the consequent and possible loss or damage to the employer due to the adjustment made to support the employee with a disability. The term universal design has not yet received an official or legislative definition. It should, however, be noted that its element has been introduced in the accessibility legislation that requires that all buildings meet the criterion of accessibility at the initial level of construction.

II. Articles 1 to 33 of the Convention

Article 3 – General principles

11. In an attempt to implement the principles laid down under article 3 of the Convention, Ethiopia has taken some legislative and practical measures. Each of such interventions will be described under the relevant articles. But here we simply list some general measures taken in the relevant areas. The steps taken and activities carried out aim at prevention of disability-based discrimination, promotion of independence, participation, equalization of opportunities, accessibility, gender equality and recognition of children's evolving capability. In principle, discrimination on any ground is forbidden under the constitution of the Federal Democratic Republic of Ethiopia. The constitution has already guaranteed the right to equality and prohibits discrimination in all its forms. Article 25 provides as follows: "All persons are equal before the law and are entitled, without any discrimination, to equal protection of the law. In this respect, the law shall guarantee to all persons, equal and effective protection without discrimination on grounds of race, nation, nationality or other social origin, color, sex, language, religion, political or other opinion, property, birth, or other status".

12. It is true that disability has not been expressly mentioned in the list of the grounds on which discrimination is prohibited. But since the list of grounds of prohibition is so extensive that it includes disability. Yet, the fact that disability is not clearly specified as one possible ground of discrimination does not imply that persons with disabilities are not protected against discrimination. Specific laws on disability confirm the inclusive application of this constitutional clause by prohibiting disability-based discrimination. For instance, the principles of equal opportunity are realized through legislations on employment, education and mainstreaming. The law enacted on accessibility confirms the principle under article 6 of the Convention. Similarly, the constitutional provision on gender equality contributes much to the implementation of article 7 of the Convention.

Article 4 – General obligations

13. In its effort to meet the obligations listed under this article, Ethiopia has so far, made some pieces of legislation to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability.

Article 4, paragraph 1 (a) – Adoption of legislative and administrative measures to implement the rights under the Convention

14. In realizing the obligation under this article, the Government of Ethiopia has followed a twin-track approach, making laws focusing exclusively on disability and making a space. This dual approach had been found useful as it allows alternative method of disability law-making. In case where the legislator feels the need for adopting special laws, it follows that direction. When mainstreaming appears to be appropriate, disability-specific provisions are included in the general law. Following the signing of the Convention in the year 2007, the House of Peoples' Representatives adopted legislation on the employment right of persons with disabilities in 2008. This legislative measure is believed to have facilitated the realization of employment right of persons with disabilities as provided under article 27 of the Convention. The measure was of paramount importance not only because it provided a security and widened job opportunities, but also because it introduced a perfectly human right approach to disability. It was observed that persons with disabilities benefited little from the 1994 employment right legislation. Besides, it did not contain an

express anti-discrimination clause. In addition, the idea of reasonable accommodation was missing. Measured by all standards, the 1994 employment proclamation served little purpose by way of protecting the rights of persons with disabilities. Yet, one should not underestimate the historic significance of the legislation since it represented the first disability employment right law in the country. Not to repeat same experience of little application of the legislation, the Government took measures to ensure the current employment law is implemented more effectively. To this end, the Ministry of Labor and Social Affairs as well as the Ministry of Civil Service issued directives within their respective mandates to elaborate on details of the legislation. Besides, the directive issued under the Charities and Societies Proclamation has been amended exclusively and exceptionally for the benefit of persons with disabilities.

15. According to the current law, charities and societies should use at least 70% of their annual budget for their operational activities. This is because the very purpose of charities and societies is to benefit the target group they work for. A directive has, therefore, been issued to prevent such organizations from unnecessary wastage of resource through exaggerated allocation of money for administration. As per this directive, among other things, any staff salary is considered to be part of administration cost. This is one area where the amendment was made in the interest of persons with disabilities. The amendment concerns the point that, if the employee is a person with a disability, the cost used for the salary of the individual will be part of the operational cost. It is not only the salary of an employee with a disability that is accounted for operational cost; the salary for sign language interpreters, assistants for the blind and deaf-blind, etc., will also be deduced from the administrative expense and added to the operational cost, which again is an advantage to an organization not only hiring persons with disabilities but also assigning their assistants. The rationale behind the legislation is that, in view of the comparative advantage of the employment, more and more charities and societies are likely to employ persons with disabilities. For this reason, the legislative measure will, undoubtedly, open better job opportunity for persons with disabilities. In addition, rent paid for the use of a premise serving as a center for technology and information for persons with disabilities will be considered to be operational which, otherwise is part of the administrative expense.

16. The issue of accessibility represents another serious concern of persons with disabilities in Ethiopia. Hence, Ethiopia has also made laws on accessibility at various levels to realize the right of persons with disabilities under article 9 of the Convention. In this area, three pieces of legislation are in force: these are Ethiopian Building proclamation, Council of Ministers Building Regulation and building directives. The proclamation was passed in 2009 when Ethiopia was preparing for ratification. However, the other two pieces of legislation were made in 2011. Moreover, a practically useful legal provision has also been included in the 2010 proclamation issued to determine the powers and duties of the executive organs of the Government. This proclamation provides that all ministries, agencies and commissions and other bodies responsible for execution of laws and policies should address the issue of disabilities in their respective area of competence. The initiative represents an important policy provision on mainstreaming disability in development. The move is believed to create an optimum condition for the realization of all the rights enshrined in the treaty.

17. This legal provision is particularly important in that it creates a condition for all government sectors to address disability in their respective development interventions. The application of the provision by all ministries and agencies will result in the issue of disability being well-integrated in to development effort, which in turn will mean that multiple rights enshrined in the Convention will be implemented. In addition, some provisions on disability have been included in social security legislation issued in 2011. Other administrative measures have also been taken to facilitate the implementation of the rights provided for under the Convention. The Amhara regional government, which is one of the member states of the federation, introduced a compulsory placement system for those

graduates who are hard of seeing and visually impaired. The administrative measure was taken by the regional state with a view to alleviating the difficulty faced by this disability group in competing in the labor market.

Article 4, paragraph 1 (b) – Modification or abolition of existing discriminatory laws, regulations, customs and practices

18. The Government of the Federal Democratic Republic of Ethiopia firmly believes that the entire legal system should be reviewed for any possible inconsistency with the content of the Convention. In fact, a number of new laws have already made in conformity with the overall policy change. The criminal code of 1957 and the family codes have already been revised to include latest developments. Some prejudicial provisions about women have also been amended. Similarly, other branches of the legal system need to be reviewed to make sure that they do not contain any provisions that do not comply with the Convention. To this end, some preliminary studies carried out by the Federation of Ethiopian National Associations of Persons with Disabilities are being considered. The purpose of such small-scale review is to ensure the compatibility of the Ethiopian legal system with the Convention In the event that the legal system contains provisions in compatible with the Convention, the necessary legislative and administrative measure will be taken to harmonize the laws of Ethiopia with the treaty. The Government will undertake full-fledged studies in this area and also support the disability federation and its member organizations in their effort to carry out research with a view to discovering discriminatory laws and practices. On the basis of such study reports, the House of Peoples' Representatives will take legislative initiatives to abolish or modify the laws, regulations directives or practices contradicting the Convention.

19. In the meantime, it is hoped that the nullifying clauses at the end of each piece of law will serve as a means of alleviating the negative effects of those legal provisions. Article 12 (2) of the employment right of persons with disabilities Proclamation No. 568/2008 provides that "No law, regulation, directive or practice shall, in so far as it is inconsistent with this Proclamation, have force and effect in respect of matters provided for in this Proclamation". This provision renders other legal provision or law invalid or void. But it is understood that a more positive and active legislative intervention is required to effectively eliminate discriminatory laws and practices. Apart from making laws useful for the realization of the general state obligations, the House of Peoples' Representatives took some practical measures to ensure implementation of such laws. The standing committee on social affairs has been facilitating and trying to establish a system by which all the 16 parliamentary standing committees consider disability in their respective area of competence. The move is useful for the establishment of a permanent system of addressing disability in the reports of the executive branch of the government sector. In such a case, the House of Peoples' Representatives (parliament) will have the possibility to include the issue of disability in its oversight mandate. As its major area of concern, the Social committee is following up the effective management of disability by other parliamentary standing committees.

Article 4, paragraph 1 (c) – Considering the protection and promotion of the human rights of persons with disabilities in all policies and programs

20. As noted above, the Government has adopted mainstreaming as a useful tool for the promotion of the disability issue and realization of the rights enshrined in the Convention. The creation of structures to involve interest groups has facilitated the participation of interest groups. The establishment of children's parliament represents one useful structured for the promotion and protection of the rights of children. The Ethiopian Institution of the Ombudsman facilitated the establishment of 11 regional children's parliaments. By now, in regional states, the number of such forums has grown to 80. As part of the effort to consider

disability-inclusive parliament for the children, in each parliament, 2 male and two female children with disabilities are included. Participating equally with their peers, children with disabilities will get the opportunity to promote their rights both in and outside the parliament. In addition, Addis Ababa transport policy developed in 2010 has a clear reference to the issue of disability, showing the effort currently made to consider disability in mainstream policies and strategies as required by article 4, paragraph 1 (c), of the Convention. Besides, the draft regulation on the use and operation of vehicle 2011 and the draft national transport policy accommodates disability interest.

21. A National Plan of Action on Human Rights (2013–2015) has been issued by the Ethiopian Council of Ministers and House of Peoples' Representatives in order to promote the full realization of all human rights in the country, persons with disabilities included. In addition to the political, social environmental and developmental rights, the National Plan of Action has devoted one chapter/thematic area regarding the rights of vulnerable sectors of the population such as women, children, persons with disabilities and people affected by HIV/AIDS. A national steering committee composed of high government officials and chaired by the Minister of Justice has been established. The steering committee is currently exhibiting its fullest engagement in implementing the plan at federal and regional level.

Article 4,paragraph 3 – Consultation with and involvement of persons with disabilities and their representative organizations in decision-making, policymaking and law-making concerning issues relating to persons with disabilities

22. The Government recognizes that persons with disabilities and their representative organizations as well as children with disabilities should be consulted and involved in the process of law and policy making concerning them, as provided under article 4, paragraph 3, of the Convention. In the present day Ethiopia, the common practice is that any policy initiative should ensure popular participation and contribution. Hence, the Government has been encouraging persons with disabilities and their representative organizations not only to be involved in matters concerning them but also make practical contributions to any national development undertakings. By the time the Ministry of Urban Development and Construction was preparing draft laws on accessibility, the Federation of Ethiopian National Associations of Persons with Disabilities, an umbrella organization representing disabled persons' organizations (DPOs), namely, the National Associations of the Blind, the Deaf, the Deaf-Blind, Persons Affected by Leprosy, Persons with Intellectual Disabilities, and the National Development Association of Persons with Physical Disabilities, was involved and gave invaluable input. The ministry organized three workshops that were attended by representatives of the Federation and other members of civil society. Particularly, the building regulation and directive issued in the year 2011 have been developed with close participation of such organizations. Moreover, the Federation and its member organizations were invited and actively participated in public hearings and parliamentary debates on the employment right legislation, which is now in force. Even well ahead of the parliamentary sessions, DPO representatives had their voices heard in the process of draft preparation made by a joint committee by the Ministry of Labor and Social Affairs and Civil Service Commission as it was then called. Besides, the electoral draft legislation was forwarded to the Federation of Ethiopian National Associations of Persons with Disabilities for comments and inclusion of any disability concerns. The Federation and its leadership attended the parliamentary deliberation and voiced their concern particularly on the procedure of voting by persons who have no hands or fingers. As a result, a more disability friendly provision has been included in the electoral law. Because of the positive intervention of the Federation and member associations, the voting procedure became more favorable to the exercise of their rights.

23. DPOs and other members of civil society have also been part of the coordination mechanism put in place for the implementation of the Convention, as article 33 requires.

Persons with disabilities and their representative organizations played an active role in the development of the directive issued by the Ministry of Labor and Social Affairs to establish a national committee for the implementation of the Convention. The committee comprises representatives of ministries, agencies, civil society organizations, the Federation and DPOs. The Federation of Ethiopian National Associations of Persons with Disabilities is currently serving the national monitoring committee in the position of general secretary. On the other hand, the involvement of the Federation, DPOs and their supporters was visible in the public consultation process of the five-year Growth and Transformation Plan of the country. Disability-specific workshops were organized to include disability concerns in the plan. The Federation, member DPOs and other civil society organizations attended consultation sessions led by ministers and eventually by the prime minister. As a result, it has been possible that the final document contains reference to disability. This process has enabled DPOs not only to participate in matters concerning them, but also give inputs for development initiatives in general.

Article 4, paragraph 5 – Extension of the provisions of the Convention to regional states

24. The Government of the Federal Democratic republic of Ethiopia recognizes that "the provisions of the present Convention shall extend to all parts of Regional States without any limitations or exceptions". In order to promote the Convention among member states of the federal Government, around 12 regional workshops were organized by various sectors. In most of such events, the legislative and executive authorities of regional states were sensitized on their duties to implement the Convention as members of the ratifying country. Some of the regions even received the treaty in their own local languages. The Convention is now available in Amharic, Oromifa and Tigregna languages.

Article 5 – Equality and non-discrimination

25. This article recognizes that all persons are equal before the law with entitlement to equal protection and benefit of the law on equal grounds without any discrimination. As noted above, this important principle has already been laid down under the constitution of Ethiopia. No person is deprived of justice or legal protection on the ground of disability. "All persons are equal before the law and are entitled, without discrimination, to equal protection of the law. In this respect, the law shall guarantee to all persons equal and effective protection without discrimination, on ground of race, nation, nationality, or other social origin, color, sex, language, religion, political or any other opinion, property, birth or any other status". This implies that no person is denied equal protection on any ground including disability. It is true that disability has not been specifically mentioned in the constitution as one ground on which discrimination is prohibited. However, it can never be taken to mean that disability-based discrimination is allowed. With the support of other special or specific laws, this constitutional provision guarantees equal legal protection. The Employment right legislation, for instance, confirms the legal protection enjoyed by persons with disabilities. In the event that a person with some kind of disability, stands to have his property or personal right protected by the law and takes his/her case to court, he/she will enjoys no less judicial protection than anybody else just because he/she is some with disabilities. While the constitution guarantees equal right, article 5 of the employment right legislation provides for an express prohibition of discrimination against persons with disabilities. In order for ensuring further protection of the rights of persons with disabilities against any possible violation of their rights, the Ethiopian Institution of the Ombudsman opened a toll-free telephone line to hear their voice and conduct investigation. In addition, investigation report on disability cases has been published in Braille and print booklets.

Such publications are hoped to provide information on disability-based discrimination and sensitize the public against future malpractices.

26. The employment right law also provides for reasonable accommodation to ensure equality right in employment. On the basis of this law, a number of employees with visual impediment, especially those who are in the public sector have got readers and assistants at office. The Government pays salary for the clerks and secretaries supporting the employees with visual impairment. In certain cases, transport services are provided. The Ministry of Science and Information has for instance assigned a vehicle for three people with visual impairment and two persons with physical disabilities staff to transport them from and to office. The Government has also employed a sign language interpreter for people with hard of hearing official at the central statistics authorities. An assistant has been assigned and employed for an honorable member of the House of Peoples' Representatives to facilitate his public responsibility on equal basis with other members. Despite the low number of beneficiaries of such service, the practice may serve as one positive experience to be learned and followed by other institutions. In certain cases, persons with disabilities enjoy special benefits secured by law. In a recently issued of Addis Ababa city administration directive on the prohibition of leasing government houses for commercial purposes, it was specially provided that persons with disabilities who may have rented the government house for some commercial purpose will not lose the benefit and maintain the house and use it as a means of income. This may sound discrimination against persons without disabilities. However, the Government has taken the initiative a positive discrimination in favor of persons with disabilities within the sense of article 5, paragraph 4, of the Convention.

27. As part of its effort to promote equality right of persons with disabilities, the Government pays special attention to cases submitted to the administrative court. Three employees with disabilities brought cases before the administrative court alleging that they had been discriminated on ground of their disabilities. The court considered the cases and took corrective measures. In order to educate the public and particularly the experts and officials at federal and regional states, the Ministry of Civil Service in collaboration with the Ministry of Labor and Social Affairs organized four workshops on employment right laws of the country. The measures are believed to have contributed to the creation of the environment where persons with disabilities are able to use the law to protect or pursue their interests on an equal basis with others.

Article 6 – Women with disabilities

28. It has been recognized under the constitution of Ethiopia that all persons are equal before the law. Any form of discrimination including sex is prohibited. Although the inequality of women with disabilities is understood and obvious, no legislation has been made in official recognition of this inequality. Yet, the constitution has made an express reference in general to the historic gender inequality under article 35 (3) to the effect that, "the historic legacy of inequality and discrimination suffered by women in Ethiopia taken in to account, women, in order to remedy this legacy, are, entitled to affirmative measures".

29. In empowering and advancing women with disabilities, the education and training manual of the Ministry of Women, Children and Youth provides that they will be given priority if they meet the basic criteria. The ministry also produced radio programs on HIV/AIDS and reproductive health for thirty weeks and thirty minutes exclusively for women with disabilities. Besides, the staff of the ministry received training on the rights of women with disabilities to help them pay special attention to gender and disability. The training was also useful in facilitating mainstreaming of disability in the activities of the ministry. A workshop was organized for 60 participants with various disabilities on life

skill, project design and management and HIV/AIDS. Ten women with disabilities received training on various topics. Four types of manuals have been transcribed for 12 blind trainees.

Article 7 – Children with disabilities

30. Despite the undeniable gap between children with disabilities and their non-disabled peers in exercising their rights and fundamental freedoms, the Government of Ethiopia believes that the general legal principles concerning children and measures and actions specific to children with disabilities will facilitate the enjoyment of equal rights and all fundamental freedoms of both groups. The constitution contains an independent article on the right of children in general and reads as follows:

Article 36 – Right of children

31. Every child has the right:

(a) To life;

(b) Treatment in schools and other institutions responsible for the care of children. The Revised Family Code Proclamation has also provisions to protect children's rights. Article 80 (3) and 82 (6) serve this purpose. Article 80 (3) provides as follows: "Notwithstanding the provisions of Sub-Article (2) of this Article, where the agreement of the spouses on the conditions of divorce does not sufficiently protect the interest and well-being of their children, or, where it adversely affects the interests of one of the spouses, the court may approve only the divorce agreement and give decisions it may deem appropriate to correct the detects on the conditions of divorce".

32. Article 82 (6) reads: "Where circumstances absolutely require that one of the spouses leave their common abode, the court shall, when giving an order under Sub-Article (5) of this Article, take into consideration the interest of children and the condition of the spouse who may be affected more by leaving their common abode". Apart from these general principles, article 23 of the Convention on the Rights of the Child applies to boys and girls with disabilities. Ethiopia as a ratifying country is doing her best to apply the provisions of article 23 of that Convention in the interest of boys and girls with disabilities.

Article 8 – Awareness-raising

33. Obviously, ignorance, superstition, prejudice and neglect pose great obstacle to the improvement of the lives of persons with disabilities. Social misconception prevents persons with disabilities from fully and equally participating in the overall life of the society. The Government of Ethiopia believes that without a meaningful change in the social attitude, it is hardly possible to equalize opportunities in society. It is essential that society should be able to appreciate the potential and capability of persons with disabilities and build confidence in them. Consequently, improving the social understanding about persons with disabilities has been one major focus area of government intervention. To this end, a series of radio and TV programs produced and broadcasted with good coverage of the geographic area of the country. There is a regular weekly TV program in sign language for deaf TV viewers. The program is used to, on one hand, raise a general public awareness about people with hearing problems and serves a means of informing the same category of persons with disabilities about the Convention and the rights enshrined therein.

34. The Ministry of Labor and Social Affairs has also a weekly regular radio program used to disseminate information on issues of disability to the general public. The radio

broadcast covers almost the whole country. For this reason, it is fairly hoped that large segment of the society has access to this program and receives information on disability. A general audience survey has been planned to measure effectiveness and range of coverage. By way of promoting the Convention throughout the country, the Government has taken effective measures and disseminated information on the Convention. Twelve workshops have been conducted in various parts of the country with a view introducing participants to the content and purpose of the Convention. To mention the figure just in one region, a total of 96,064 persons with disabilities had access to information on the Convention on the Rights of Persons with Disabilities over the last two years in seminars and workshops. The target groups included, representatives of persons with disabilities, people working for various sectors of the Government, non-governmental organization (NGO) representatives and in most cases representatives of regional governments. At such workshops, resource person and specialist in international human right law gave presentations aiming at increasing understanding of participants about the Convention and its importance at national level as well as its significance to the disability population at home.

35. Understanding the indispensable role DPOs play in the monitoring process, the Federal Government and regional states organized various trainings for leaders on the Convention. Over 1,000 DPO leaders received training on the content of the treaty and roles of stakeholders over the last two years. Through the Ethiopian Human Rights Commission, the Government has held various sensitization programs focusing on the Convention. In its effort to disseminate information on the Convention in appropriate format, the commission got the treaty transcribed in to Braille. Forty-nine copies have already been circulated among blind people. Moreover, the commission in collaboration with the Ethiopian National associations of the Blind conducted a general assessment research on the human right condition of the blind. A manual has also been developed to be used for trainings on the content and implementation of the Convention.

36. On the basis of the manual, the association organized and conducted training for 91 experts and officials drawn from 10 sub-cities and 116 districts of Addis Ababa City Administration. In addition, the Ethiopian Human Rights Commission regional office published 500 T-shirts on which the Convention purposes are written, and promoted the Convention in November 2011. One regional state also circulated 400 copies of the Convention. The Ethiopian Institution of the Ombudsman on its part took some useful measures aiming at ensuring the equality of persons with disabilities in the society. The institution trained 330 students drawn from five universities on the rights of persons with disabilities. The students received information on the rights of persons with disabilities and possible maladministration to be committed especially against persons with disabilities. Out of 330 participants 72 were persons with disabilities. On the other hand, over the last two years, the institution held various awareness raising events for 2,693 participants exclusively on the rights of women, children and persons with disabilities.

37. Appreciating the importance of education on the rights of persons with disabilities for those experts working in the government sectors, the institution organized a seminar for 54 participants drawn from various sectors. This sensitization workshop is believed to have laid down some basis for effective implementation of the Convention in the sectors where the trainees are working. Besides, 67 people were given training on the nature of maladministration and good governance as well as its negative effect on the realization of the right of persons with disabilities. About 1,568 leaders of women's federations received similar seminars on the rights of children, women and persons with disabilities. This is particularly important since it is likely to open a way for the inclusion of disability in the planning and policy formulation of the top political leadership. In order to create better condition for the protection of persons with disabilities against any possible maladministration, the institution also organized events on the functions of the ombudsman, more particularly on its objectives and duties, good governance, social justice and freedom

of information for 65 participants from disability associations as well as experts from the Ministry of Labor and Social Affairs. Twenty Ombudsman staff and investigators received sign language training for 40 hours and two of them have been trained for two months to work permanently on sign language interpretation service. The training has practically improved the service at the institution by creating a condition whereby deaf clients are served better. Twenty eight people from organizations drawn disability and women on maladministration prevention, good governance, effect of maladministration attended an accessibility workshop organized by the institution. As part of its effort to circulate disability-focused information, the institution published and distributed 20,000 disability information brochures. 10 articles on disability have been issued in the column rented from press enterprise and journal of the institution.

38. One workshop was organized for 60 participants with various disabilities on life skill, project design and management, HIV/AIDS prevention and control methods, and women and their rights with disabilities. The Ministry of Women, Children and Youth organized training for 10 women with disabilities. Through the Ministry of Transport, 60 staff and reporting offices received basic training on the Convention. The Ministry of Tourism and Culture organized training on disability policy for the staff and officials. In Addis Ababa, a bazaar was organized to promote the productive ability of persons with disabilities in 2012. About 67 persons with disabilities production centers participated in the bazaar. It was reported that over 75,000 people visited the bazaar. Besides, a Parade of 2,000 people was held at the center of the capital city on the occasion of the international day of persons with disabilities. The Federation of Ethiopian National Associations of Persons with Disabilities gave orientation for 630 regional experts and member one day workshop. In one regional state, 11 zonal office heads and special advisors, 22 members of the executive bodies, 11 zone DPO leaders 11 zone unit's staff, 4 district office heads, 3 special districts leaders received training on the Convention.

Article 9 – Accessibility

39. The issue of accessibility does not seem to have a long history in Ethiopia. For this reason, not many physical structures or informational services are disability friendly. Yet, the Government of the Federal Democratic Republic of Ethiopia recognizes the importance of accessibility to the life of persons with disabilities. It is understood that independent living and full participation is hardly possible in the circumstance that environmental and informational barriers continue to challenge the lives of persons with disabilities. Access to physical environment and information and communication including the information technology system is one of the crucial means of achieving independence and full participation in societal affairs. For this reason, the parliament took some practical and legislative measures to start the move towards the creation of accessible environment for persons with disabilities. Following the Parliamentary Act, the Council of Ministers and the Ministry of Urban Development and Construction issued a regulation and directive respectively. Both the regulation and directives came in to force in 2011 and appropriate authorities are conducting consultation as to how to put these pieces of legislation into practice.

40. Article 36 of the Building code proclamation provides as follows:

> (1) Any public building shall have a means of access suitable for use by physically impaired persons, including those who are obliged to use wheelchairs and those who are able to walk but unable to negotiate steps.
>
> (2) Where toilet facilities are required in any building, as adequate number of such facilities shall be made suitable for use by physically impaired persons and shall be assessable to them.

41. The regulation issued by the council of ministers has also been issued to implement the general standard set in the proclamation. The building regulation provides in article 28 (2) that design of category "C" buildings shall have suitable access to staircases, parking lots, and lavatories accessible for people with disabilities. Article 33 (3) of the regulation also provides that lifts shall be suitable for all users including people with disabilities. Article 34 of the same regulation has set out essential facilities that a public building should have for persons with disabilities. Besides, the directive issued by the Ministry of Urban Development and Construction, deals with accessibility (both physical and informational) at great length. Article 33 of directive No. 5/2011 is fully devoted to how buildings should be disability-friendly in several ways. This directive may be said the most comprehensive and specific in its essence and sets out a number of criteria of a building from a disability point of view. The directive contains detailed provisions on specific standards about the internal facilities of any building.

42. It therefore, seems that the legal and policy environment has been created for the promotion of accessibility of buildings to persons with disabilities. However, the Government felt that it was necessary to check for concrete impact of the accessibility laws at all levels. For this reason, in order to get some picture of the situation and consider action for improvement, the Government has conducted a brief assessment study through the Ethiopian Institution of the Ombudsman on the current accessibility standards and guidelines as well as their degree of enforcement in selected institutions. The institutions identified for the assessment are government agencies engaged basically in activities relating to design and construction. As indicated above, the purpose of undertaking the assessment is to review accessibility guidelines and the level of applicability of such guidelines, rules and regulation in the two target institutions and provide evidence for further action by the Government.

43. Addis Ababa Bureau of Design and Construction Administration Development and Addis Ababa Roads Authority were selected for the assessment. These two institutions were identified basically because their areas of engagement essentially involve the issue of accessibility. The two institutions are mandated in the construction of buildings and roads that place them in a leading position (at least at City Administration level) in terms of implementing accessibility guidelines. Hence, it was believed that the practice and experience of such offices may provide a good ground for taking action in the field. Accordingly, an accessibility assessment was carried out at these government offices and a report was produced. The study report discussed concepts and notions related to accessibility, legal and technical standards and guidelines in force on accessibility, findings of the assessment made at the two offices, gaps, opportunities and recommendations. The findings and the recommendations made were found to be useful for further practical measures necessary to implement the accessibility laws. The assessment report also identified crucial areas of action that will facilitate effective enforcement of the laws made in the area. Some of such recommended areas of action include the following:

- Sensitize beneficiaries (persons with disabilities) about the existence and use of the facilities.
- Capacitate stakeholders by way of raising their knowledge about the issue of accessibility;
- Promote the laws or standards among the concerned authorities;
- Develop manuals and guidelines for use by professionals;
- Design a means of handling the issue at engineering faculties, building colleges and other relevant academic institutions.

44. As indicated above, the purpose of undertaking the assessment is to review accessibility guidelines and the level of applicability of such guidelines, rules and regulation in the two target institutions and provide evidence for further action by the Government.

45. In considering legislation on accessibility in Ethiopia, one has to give Special attention to article 3 and 4 of the building proclamation. Article 4 (1) is particularly interesting. The process of construction begins with a submission of an application to the authority designated for this purpose requesting for approval. The building officer or designated body has been authorized to make sure that the documents presented for approval of construction are in compliance with the proclamation and any other laws. Since one of the standards set under the proclamation is accessibility as provided under article 36, it is obvious that the officer, who considers the application, should reject the application and deny the license for non-compliance in case the plan and design report has disregarded accessibility. Apart from the Federal laws mentioned above, accessibility legislation of Addis Ababa City Administration is also important in providing guidelines and standards for the works of the two institutions under discussion. Regulation No. 1/2005 is particularly useful in that it provides under art 10 that any building should be accessible for persons with disabilities. These legal rules and standards are practically useful in establishing the principles on accessibility of buildings and roads. Considering the existence of all these proclamations, regulations and directives both at the federal and City Administration level, we can, confidently argue in favor of availability of good number of accessibility standards and guidelines.

46. The general conclusion of the assessment report is that, sufficient Accessibility laws and guidelines have already been developed: but are not yet in force. For this reason, we realized that the Government of the Federal Democratic Republic of Ethiopia has to push further for strict implementation such legal standards. A strategy should be designed to bring all the licensing authorities to mobilize them against the approval of building designs and plans that contains no accessibility element.

Temporary measures taken to alleviate the accessibility problems

47. The process of building a barrier free society requires a persistent and successive policy, legislative and practical measures. But in order to alleviate the day to day challenges of persons with disabilities in accessing services and facilities, the Government is taking some provisional steps. This includes providing services on the first floor, arranging offices for persons with disabilities on the ground, organized meetings at accessible venues, making new buildings meet accessibility requirements. Accordingly, the recent assessment carried out at some government institutions on how they are handling the issue of accessibility in serving persons with disabilities proved that a few institutions have adopted some provisional mechanism to reach clients with special needs. One is that the appropriate department or section staff go down to the ground and meet the client with a disability and handle his/her request. The person with a physical disability is not required to go up to the department or section. Instead, the department personnel or official goes down to him and makes himself available at the ground floor. Such a provision is just a temporary way out of the problem. Obviously, it does not serve as a permanent remedy. It is just an alternative solution adopted to address the problem temporarily by bringing the service close to the beneficiaries to avoid the hardship faced in accessing the service. Unfortunately, it was found out that not all employees and officials were willing to follow the practice. This means that serving the client in such arrangement is a matter of personal will. For this reason, one cannot take the remedy as a reliable means of addressing accessibility challenges. Among institutions using this practice are Charities and Societies Agency.

48. A better and recommended way of answering accessibility demands of persons with disability is a universal approach, which is to ensure newly-build facilities consider accessibility element. If all the buildings and institutions are constructed with the necessary accessibility facility from the outset, any physical environment will, ultimately be accessible and disability-friendly. In this connection, measures are being taken to make sure that, at least those government offices whose premises are under construction will be accessible as required by the building code of the country. Any construction with no accessibility facility will be a direct violation of the legislation in force. Examples of government institutions whose new offices are under construction in line with the necessary accessibility requirement include the Central Statistical Agency, the Ministry of Civil Service and Ethiopian Air ports Enterprise. As Addis Ababa City Administration Bureau of Design and Construction has adopted an approach of addressing accessibility early at the design stage. 28 of 75 health stations are by now accessible.

Access to information and technology systems

49. Under the project implemented by the Ministry of Information and Communication Technology in collaboration with the World Bank, about 6 information and communications technology (ICT) centers have been established for use by persons with disabilities. These centers were basically meant to provide opportunities for persons with disabilities to access to technology systems. The centers are also used to promote transfer of technology for the benefit of persons with disabilities. Moreover, through various trainings given at the centers free of charge, a number of persons with disabilities have been able to develop their capability and increased their competitive potential both in the formal and informal job market. The ICT centers were particularly useful for blind people in accessing such adaptive technology items as JAWS (Job Access for Windows and Speech), which in turn facilitated their education and employment.

50. As part of government effort to widen local opportunities for accessing information and communication technology, a high-level technical training on hardware and software was organized at which an expatriate trained fifteen persons with disabilities. The trainees are believed to have not only increased their personal technical competence in information and communication technology, but also able to provide assistance in maintaining such devices. The Ministry of Women, Children and Youth, on its part, did its part to realize the information access right of persons with disabilities as provided under article 9 of the Convention. About four training manuals prepared in print were transcribed into Braille for blind people. The Ministry of Culture and Tourism prepared audio and video materials on tourism for circulation. Such a measure will serve double purpose: on one hand, blind and deaf people will have information on tourist and historic sites. Besides, it facilitates and encourages the participation of persons with disabilities in the area. Thirdly, the materials will be instrumental in the promotion of understanding disability among the society at large.

51. In the area of transport access, a good beginning has been made in making newly-purchased city buses accessible. Since this is just the first attempt, the facility is not yet properly in place. It should also be noted that the new Addis Ababa railway infrastructure construction conceptual design process has made a reference to disability with a view to addressing the needs of such social group. The regional state of South Nation, Nationalities and Peoples has taken a step in its plan to build a barrier free environment for persons with disabilities. Accordingly, the Government has agreed with other organizations to sign a general Memorandum of understanding on accessibility measures to be taken in the region.

Article 10 – Right to life

52. At the very outset it should be noted that there is no special legislation on the protection of the life of persons with disabilities in Ethiopia. However, Ethiopian legal system contains provisions protecting equally all lives. The relevant constitutional provision extends its protection to everybody. Article 15 of the constitution of the Federal Democratic Republic of Ethiopia provides as follows: "Every person has the right to life. No person may be deprived of his life except as a punishment for a serious criminal offence determined by law". As can be clearly inferred from the constitutional provision, the life of every person is equal protected regardless of his disability, sex, age, social status etc. The protection under this provision is therefore, good enough to protect the lives of persons with disabilities as well. In the presence of such provision, one may wonder about the importance of adopting any special law on the exclusive protection of the life of persons with disabilities. The constitutional provision has been given effect through the criminal law of the country.

53. The lives of persons with disabilities cannot be arbitrarily violated as they are protected under the above-mentioned provision. In case a person with a disability loses his/her life as it may happen to anybody, the necessary measure is taken under the criminal law of Ethiopia. Article 538 of the criminal code of the country provides that "(1) whoever causes the death of a human being intentionally or by negligence, no matter what the weapon or means used, commits homicide". If a person with a disability loses his life, it will happen only in accordance with the law as provided under the constitution and the criminal code. There are no instances in which the life of persons with disabilities is exceptionally prone to arbitrary deprivation. It should however, be admitted that there is some concern in relation to the application of certain provisions of the criminal code. This concern arises out the provisions of article 551 of the code, which deals with grounds of permitted termination of pregnancy. It provides as follows:

Article 551 – Cases where Terminating Pregnancy is allowed by Law.

54. Termination of pregnancy by a recognized medical institution within the period permitted by the profession is not punishable where:

(a) The pregnancy is the result of rape or incest; or

(b) The continuance of the pregnancy endangers the life of the mother or the child or the health of the mother or where the birth of the child is a risk to the life or health of the mother; or

(c) Where the child has an incurable and serious deformity; or

(d) Where the pregnant woman, owing to a physical or mental deficiency she suffers from, or her minority, is physically as well as mentally unfit to bring up the child.

It should, however, be noted that termination of pregnancy on ground of disability is not the legal policy of Ethiopia. However, the Government is still concerned that the criminal law provision is open for interpretation and the actual implementation of the cited criminal code provisions may be abused by medical doctors.

55. As the legal provision stands, it seems that there is no a practical mechanism by which the government controls the medical institutions for possible abuse of their privilege. For this reason, it is logical to fear that some level of arbitrariness may be involved in the process of determining the existence of tolerated case of termination of pregnancy. What is recommended and planned to work out this problem is to put some more objective criteria for the exercise of the discretion of medical doctors. The Ministry of Health has already

developed a guideline on the execution of this provision. The guideline is believed to minimize arbitrary medical decisions on the termination of pregnancy. But the Government still feels the need for more detailed law to protect persons with disabilities against such decisions.

Article 11 – Situations of risk and humanitarian emergencies

56. No significant measures have been taken under this article.

Article 12 – Equal recognition before the law

57. Equally of persons before the law has been guaranteed under the constitution of the Federal Democratic Republic of Ethiopia. Article 24(3) of the constitution reads as follows: "Everyone has the right to recognition ever where as a person". One can make no exception to this fundamental constitutional principle on any ground including persons with disabilities. Persons with disabilities also enjoy legal capacity on equal basis with others since the law imposes no special restriction to such capacity. Ideally, the concept of legal capacity is understood to mean both the capacity to hold right and the capacity to exercise those rights. Despite the fact that the scope of the term varies from one legal jurisdiction to another, under the legal system of Ethiopia, the term is understood in its fullest sense. Thus, if a person is legally capable, he/she not only holds rights, but also enjoys the power to act.

58. To take the concept of legal capacity to mean any less than these components represent a frustration of the entire purpose of the Convention. According to Ethiopian law, the very idea of personality is made up of a set of rights and duties. Legal personality is acquired at birth and in even before birth. Article 1 of the Civil Code of Ethiopia provides that "The human person is the subject of rights from its birth to its death". This means that rights are attributes of legal personality. The principle applies to ever body including anyone with any kind of disability. Rights are acquired at a mere fact of birth regardless of any personal condition of the individual. While the concept embraces both the holding of the potential right and the right to act, a person may be restricted in actually exercising the right to act under specific conditions of law. Again, one has to bear in mind that these conditions are not exceptionally applied to persons with disability. Legal capacity has nothing to do with disability except in the case of mental disabilities. The restriction of legal capacity on the ground of mental disability is to protect the interest of such a person. These causes of legal incapacity are specified under article 193 of the civil code. Article 193 of the Civil Code of Ethiopia provides as follows:

Article 193 – General disabilities

59. General disabilities depend on the age or mental condition of persons or on sentences passed upon them. The term "disability" under this article refers to legal incapacity, not disability in the sense used in the Convention. It seems that the term "disability" is confused with "capacity". The two terms are used interchangeably to refer to the legal capacity within the meaning of article 12 of the Convention. Although the English term "disability" is used, it does not refer to persons with disabilities specified under article 1 of the Convention. To understand clearly the difference, one can read an exemplary article making a reference to disability, which, in no way, means legal capacity. An exemplary reading of article 216 of the family code of Ethiopia shows that legal capacity is not disability-specific. The article reads as follows:

Article 216 – Disability of minors

(1) A minor, as regards the proper care of his person, shall be placed under the authority of a guardian.

(2) In matters concerning his pecuniary interests and the administration of his property, a minor shall be represented by his tutor.

(3) The minor shall not perform juridical acts except in the cases provided by law.

60. Legal capacity is presumed as provided under article 196 of the Civil Code. In other words, under Ethiopian law, capacity is the rule while incapacity is the exception. Whosoever alleges the existence of legal incapacity is supposed to prove it. The evidence should necessarily relate to minority, legal interdiction or judicial interdiction. Otherwise, Physical, sensory or any other disabilities do not constitute legal incapacity within the meaning of the law.

61. A natural person is said to be legally disabled or incapable in the event that he/she has not attained the required physical majority (18 years of age), or is judicially interdicted or sentenced under the law. As noted above, the constitution of the Federal Democratic Republic of Ethiopia has guaranteed the equality of persons before the law. However, no special legislation exists on the recognition of personality or legal capacity of persons with disabilities in Ethiopia. Nor is there a legislation to restrict legal capacity on the ground of disability.

Property ownership, inheritance and management of finance

62. In a large country like Ethiopia with so many cultures, it may not be easy to tell how persons with disabilities are treated in terms of managing their property or if they are denied or allowed to inherit property. In order to determine this fact, it may be necessary to conduct detailed studies on the specific cultures. Yet, in general terms, the law makes no distinction among the disabled and non-disabled in relation to succession. They have equal right to be heirs or legatees in so far as they meet the general conditions required by law of succession. No court case or administrative complaint has been so far reported in connection with discrimination or deprivation of the right to succeed. There is also no legal or practical barrier to their right of ownership. The constitution guarantees the right to ownership of property to every Ethiopian. Article 40 provides as follows:

Article 40 – Right to property

63. Every Ethiopian nation/nationality has the right to ownership of private property. In elaborating the and extending to the exercise of the property right, the constitution further provides under the same article that "unless prescribed by law otherwise on account of public interest, this right shall include the right to acquire, use, and in the manner compatible with the rights other nationality, to dispose of such property by sale or bequest or transfer it otherwise". This fundamental right of acquiring, using or disposing property is also guaranteed for persons with disabilities.

64. As part of its effort to enable persons with disabilities to have houses of their own, the Government facilitated the acquisition of condominium houses. They are entitled to receive a condominium house on equal basis with others with no distinction whatsoever. Further to this, special support is made for them in case the house or room obtained on lot turns out to be on the second, third or fourth floor, the individual with a disability can change the floor to first ground which is more accessible to them. The city administration has already guaranteed this priority right in legislation with a special provision on disability. Persons with disabilities who get living houses in this arrangement become

owners of the house and enjoy the right to freely sell the house after five years. Although not many of them get this opportunity, at least some persons with disabilities can have property and lead better life. This does not however mean that the Ethiopian legal system is perfectly disability-friendly. It is hardly possible to expect a code like that of Ethiopia promulgated so many years ago to approach disability in the modern sense of the term.

65. The civil code of Ethiopia was promulgated half a century ago when there was little discussion of human right in the country. At the time, the general socio-political situation was such that it was hardly possible to draft any better code than the one we use today. For this reason, it may not be surprising to find some provisions inconsistent with the contemporary view of disability. Accordingly, in the law of persons section, there are some derogatory terms that are not consistent with the Convention. In the contract section too, some legal provisions relating to the signature of persons with visual disability call for revision. In an attempt to identify such prejudicial legal provisions, a review of the civil and commercial codes of Ethiopia was conducted in collaboration with the Federation of Ethiopian National Associations of Persons with Disabilities. The purpose of the review was to ensure that the legal system is in harmony with the Convention, as required by article 4 of the Convention on the Rights of Persons with Disabilities. The report was submitted to stakeholders for consideration and possible input. It was then agreed that although the assessment had not been a complete scanning of the legal system, it may serve as an indicative document which will trigger further study. Participants suggested that that the finding of the assessment be used for legal reform in light of the Convention. No legislative amendment has been made on the basis of such recommendation because legal amendment naturally takes relatively long time and much discussion.

66. In the meantime, it should be noted that While the complete harmonization process is underway, the negative effect of the legal provisions will be minimized and even eliminated with the introduction of some pieces of legislation that have anti-discriminatory effect. The employment legislation for instance, contained a provision that renders any other law or legal provision null and void in so far as it contradicts the content the proclamation. Technically speaking, any previous legal provision which may come in conflict with any piece of law currently in force, the former will not be applied. In any case, the preliminary study or legal review of the system had been carried out and will serve as a foundation of future effort to harmonize the legal system with the Convention.

Article 13 – Access to justice

67. The principle that everybody should have an equal access to justice is of crucial importance. The Government of Ethiopia recognizes that this principle should apply to persons with disabilities too. Access to justice is one of the core principles recognized by the constitution. Article 37 of the constitution reads as follows.

Article 37 – Right of access to justice

68. Everyone has a right to bring a justifiable matter to, and to obtain a decision or judgment by a court of law or any other competent body with judicial power. 2. The decision or judgment referred to under sub article 1 of this article may also be sought by:

(a) Any association representing a collective or individual interest of its members: or

(b) Any group or person who is a member of or represents the group with similar interest.

69. It is recognized that persons with disabilities are entitled to seek justice at court by bringing their civil and criminal cases to such tribunals. In order to facilitate the application

of this constitutional principle in the interest of persons with disabilities, the Government has included two important procedural provisions in the proclamation of the employment right of persons with disabilities. These provisions deal with the burden of proof in case of discrimination and the right to bring court action by disability associations in cases of violation of the rights of their members. Article 7 of the employment right legislation provides as follows:

Article 7 – Burden of proof

(1) Any person with a disability who alleges that discrimination existed with respect of recruitment condition of employment may institute promotion, transfer or replacement or other to the competent court on the issue without the requirement of the burden of proof.

(2) The defendant to the suit instituted pursuant to sub-article 1 of this article shall be responsible to prove that there was no an actor of discrimination.

Obviously, this provision represents a direct modification of the rule of evidence. Conventionally, the rule is that he who alleges a fact should prove it. Nevertheless, in the case of the anti-discrimination employment law of Ethiopia, the burden of proof of a plaintiff with a disability has shifted to the defendant, employer. The plaintiff with a disability has no legal duty to prove the existence of discrimination in recruitment, promotion or transfer. It is up to the employer to prove that there was no discrimination.

70. This exceptional rule has been made in the interest of persons with disability in consideration of the practical difficulty of proving discrimination. Persons with disabilities may also be victims of systematic discrimination, which they cannot prove at the court of law. For this reason, the legislator has decided to relieve them of the duty to adduce evidence and allow them just to bring the case for adjudication. The rule has been included in the legislation with a view to facilitating access to justice for persons with disabilities by removing the barrier to be faced in exercising the right.

71. In order to minimize the possible difficulty faced by persons with disabilities in the process of production of evidence, the Government has taken a legislative measure and included a provision in the employment proclamation. In supplement of the measure to taken to exonerating persons with disabilities from the difficult responsibility of proving discrimination, article 10 of the same proclamation reaffirms the right of disability associations to bring action on behalf of their members. Such an express provision of law on competence of associations to bring action representing their members provides more opportunity for victims of violations of rights to seek justice by reducing their financial burden and overcoming the difficulty in getting lawyers. Article 10 on the right to institute an action reads:

(1) Any person with a disability whose rights are infringed due to the non-observance of the provisions of this proclamation, regulation or directives issued for the proper implementation of this proclamation, the association of persons with disabilities, which who is a member of or trade union of which he is a member or the concerned organ entrusted the implementation of this proclamation, may institute a suit before the competent court.

(2) The court shall render its decision within 60 days from the date on which the suit is instituted.

72. Although these provisions apply specifically in employment discrimination cases, they are useful in facilitating the application of access to justice at least in employment legal suits. And in fact, this is the area where persons with disabilities have a number of cases. The cost of using judicial tribunals is so high that persons with disabilities may not

afford it. Yet, they can benefit from the free advocacy service rendered through the Ministry of Justice. Forma Puperis suit is also available under Ethiopian Civil procedure law for those who seen this respect, and not afford court fees. The civil procedure code of Ethiopia provides under article 467 that "Suits may be instituted in Forma Puperis". It further states that "Whosoever is not possessed of sufficient means to enable him to pay all or part of the prescribed court fee shall be deemed to be a pauper … and may apply for leave to sue as a paupers". This privilege is also open for persons with disabilities.

73. Part of the effort to ensure access to justice is training of personnel working in the field; some effort has been made to organize trainings in collaboration with DPOs and NGOs. In 2011, About 30 of Addis Ababa regular and traffic police officers were given training on treating persons with disabilities in the police investigation process and managing disability on the roads and streets. The training was focused more on sexual offences against women with disabilities. At the end of the training, police officers pledged to impart the knowledge they gained from the training. Besides police officers and representatives of Addis Ababa justice bureau received training on how to treat persons with disabilities in cases where the later appear at the institutions as parties to civil and criminal proceedings, witnesses and reporters of crime commission.

Article 14 – Liberty and security of the person

74. We remember that during the previous two regimes, persons with disabilities particularly those on the street, used to be taken (sometimes forcibly) to special shelters, which were more like concentration camps than rehabilitation institutions. Some of such institutions still exist, but in a completely different modality. The centers are not any longer simply shelters where persons with disabilities are fed and live. They have rather been transformed into places of training and rehabilitation where beneficiaries acquire vocational and social skills in their future life. Moreover, not every person with a disability is admitted to such centers. Only those who have nobody to support and suffer on the street are admitted for psychological, vocational and medical rehabilitation. In the capital city Addis Ababa for instance, over the last two years, 143 street persons with disabilities have been institutionalized for support and rehabilitation services. As part of its effort to protect them against the hardship facing them in the street, the Government provides lodging and clothing for the institutions. This service has enabled persons with disabilities who are in difficult situation to relieve them from street life. Again, the centers are not institutions where persons with disabilities are simply placed and live. They are, rather places of training and centers of skill development.

75. Only those persons with disabilities who are willing and need the service join the institutions. These days, no person with any disability is forced to be institutionalized against his/her will. Nor is there legislation for the institutionalization of persons with disabilities. Having received the necessary training, they leave the institutions and rejoin society for regular life. Over the last two years, 288 male and 60 female persons with disabilities have received various forms of rehabilitation services at the institutions in Addis Ababa. The trainings aimed mainly at reducing feelings of institutional attachment and encouraging sense of social integration and inclusion. Several of them have left the institutions and began independent and productive life in society. During their stay, at the centers, the City Administration provides them with such technical supports as maintaining wheelchairs. In addition, the City Administration has given start-up capital to support them in their entrepreneurship effort. The liberty and security of persons with disabilities is guaranteed under the constitution. Article 16 provides that "everyone has the right to protection of against bodily harm". Article 17 also protects against unlawful deprivation of liberty. It provides that "No one shall be deprived of his or her liberty except on such grounds and in accordance with such procedure as are established by law".

Article 15 – Freedom from torture or cruel, inhuman or degrading treatment or punishment

76. Again, torture, cruel, inhuman and degrading treatment is prohibited under the constitution. Article 18 of the constitution guarantees against such malpractices it provides that "Everyone has the right to protection against cruel, inhuman or degrading treatment or punishment". Persons with disabilities enjoy this constitutional protection as guaranteed for everybody. No practice of forced or involuntary medical treatment or scientific experiment. So far, no case has been reported in this area. The code of practices applicable to the medical sector guarantees the freedom from such un-ethical practices.

77. The civil code of Ethiopia also protects individuals against medical treatment and surgery to which they have not consented. The relevant article provides as follows:

Article 20 – Medical examinations and treatment

(1) A person may at any time refuse to submit himself to a medical or surgical examination or treatment.

Article 16 – Freedom from exploitation, violence and abuse

78. In prevention of abuse, exploitation and violence including sexual ones, the criminal code of Ethiopia has incorporated some important provisions. Abduction is, for instance a serious offence punishable from three to 10 years. The victim is also entitled to compensation under civil law for the damage she may have sustained (art. 587, Criminal Code of Ethiopia). The penalty is even more serious going up to 15 years of rigorous imprisonment if the crime has been committed against a woman with intellectual disability or any other woman who is unable to resist or defend herself. Article 588 of the code provides to this effect.

Article 588 – Abduction of an unconscious or defenseless woman

79. Whoever knowing her conditions, intentionally carries off an insane, feeble-minded or retarded woman, one not fully conscious, or one who is incapable or has been rendered incapable of defending herself or of offering resistance, is punishable with rigorous imprisonment from 5 years to 15 years. Equally serious is the abduction committed against a minor including the one with intellectual disability. An offender who commits similar crime against a minor, face the maximum penalty of 15 years. Any person with disability or a person without disability is protected against enslavement under article 596 of the criminal code. Similarly, woman and child trafficking are punishable under 597 of the same code. Persons with disabilities enjoy legal protection against sexual violence and abuse under article 623 of the criminal code of Ethiopia. The article cited provides that whosoever knowing the condition of the victim, performs a sexual intercourse with a person with intellectual disability is punished with a rigorous imprisonment up to 15 years. Children under the age of 18 are also protected under the law.

Article 17 – Protecting the integrity of the person

80. Although not specific measure has been taken yet in this area, there are no practices that may offend the integrity of persons with disabilities. Women and girls with disabilities are not forced to conduct abortion. In fact, they may enjoy their right to terminate pregnancy as provided under the criminal law. Otherwise, medical doctors do not tend to push women and girls with disabilities to practice forced abortion. No case or complaint has

been reported so far. Similarly, forced sterilization is not a problem both in law and practice.

Article 18 – Liberty of movement and nationality

81. The liberty of movement is a constitutional right guaranteed to every person.

Article 32 – Freedom of movement

(1) Any Ethiopian or foreign national lawfully in Ethiopia has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time he wishes to.

(2) Any Ethiopian national has the right to return to his country.

82. Previously, it was not possible for every person to freely go abroad unless he/she got an exit visa. As this was found to limit the constitutional right to move from country to country, the Government has lifted the restriction to harmonize practices, laws and procedures with the constitution. These days, any Ethiopian is free to reside anywhere of his/her choice. Persons with disabilities are not exceptions. Disability is in no case, a cause for influencing one's decision to live anywhere of his/her preference. Their right to freely move from one place to another is also duly recognized and respected. No person with any kind of disability is restricted in his/her movement both at home and abroad. Despite the obvious difficulty to produce a specific figure as to how many persons with disabilities travelled abroad, there is no question that a number of Ethiopians with disabilities have freely made trips and work tours to other countries and returned with their mission accomplished. It has been reported that leaders of disability associations, representatives of NGOs government employees with disabilities have paid visits to countries and participated in international conferences. Disregarding who travel abroad in private, the following institutions have sent persons with disabilities to various international visits: the Ministry of Labor and Social Affairs, the Ministry of Women, Children and Youth, the Ethiopian Institution of the Ombudsman, the House of Peoples' Representatives (parliament), the Federation of Ethiopian National Associations of Persons with Disabilities, the Ethiopian Women with Disability National Association (EWDNA), the Ethiopian Centre for Disability and Development (ECDD), Christopher Blienden Mission (CBM), etc. In facilitating the process of issuance and renewal of passports, the immigration authority gives priority for persons with disabilities. Hence, their applications are handled quickly with no ups and downs and without them being required to be in queue.

Nationality of persons with disabilities

83. The right to acquire nationality is automatic to any person with disability. In fact, acquiring a name and nationality constitute two fundamental rights that the law confers upon any child. At the time when a child is born, he/she is entitled to have a name and get nationality. The constitution of the Federal democratic republic of Ethiopia provides in article 36 that every child has the right to name and nationality. Having a name and nationality at birth is unconditional and is not attached to any social, ethnic, religious or any other factor or character. For this reason, there is no possibility for persons with disability lacking Ethiopian nation or nationality on ground of disability. While the constitution has guaranteed the right to get a name and nationality to every Ethiopian with no distinction of whatsoever, no case or complaint had been reported to any administrative institution by a guardian or representative on behalf a child with a disability. No case has been presented to any judicial tribunal claiming nationality or for denial of the same.

84. As every person with a disability is given nationality like any other Ethiopians they also do not lose the status unless they so wish. Nationality acquired under the constitution cannot be deprived arbitrarily on any ground against the will of the right bearer. The protection against arbitrary deprivation of nationality is so strict that even marriage to non-Ethiopians does not constitute a cause for the loss of nationality unless they so prefer. Hence, there is no way that disability becomes a barrier to the acquisition of this status. The relevant provision of the constitutional provision reads as follows: "No Ethiopian national shall be deprived of his or her Ethiopian nationality against his or her will. Marriage of an Ethiopian national of either sex to a foreign national shall not annul his or her Ethiopian nationality".

85. This constitutional provision equally protects persons with disabilities against any possible deprivation. Rights, protection and benefits are known to be attributes of Ethiopian Nationality. The principle is that every Ethiopian national is entitled to any benefit obtained through or on account of nationality. The constitution guarantees such protection. According to Article 33 (2) of the constitution, "Every Ethiopian national has the right to the enjoyment of all rights, protection and benefits derived from Ethiopian nationality as prescribed by law".

Registration of birth

86. The registration of civil status was not practiced for many years except for marriage. The 1960 civil code introduced the idea of registration of birth and death of Ethiopians some sixty years ago. The code required that the birth of a child be registered with particulars of the day, month and year of the birth, the sex of the child, the first names, dates and places of the births of mother and father. At present, an administrative office has been organized at all levels and doing at least the registration of marriage. It does not seem, however, that birth and death events are registered at their occurrences. A draft proclamation for their registration of such civil events is underway for adoption at the House of Peoples' Representatives. Upon entry in to force of such a law, the birth of any Ethiopian child including children with disabilities will definitely be registered. One may, however, reasonably expect a serious challenge in this respect. In view of the deep-rooted socio-cultural misperception, parents may be tempted to have the birth of their child registered. The Government will take the appropriate measure so that the registration process will include children with disabilities.

Article 19 – Living independently and being included in the community

87. No significant measures have been taken in this respect.

Article 20 – Personal mobility

88. In supporting persons with disabilities in their effort to achieve maximum independence the Government made considerable effort to provide various forms of physical rehabilitation at the prosthetic and orthopedic centers functioning in most of the regional states. Over the last two years, 47,697 persons with disabilities received physical rehabilitation of one form or another throughout the country. 1,293 persons with disabilities were provided with wheelchairs, 7,930 prosthetic supports and 8,218 got orthopedic supports and 3,871 beneficiaries received maintenance services and 24,157 enjoyed physiotherapy treatment. At present, it is reported that the number of persons with disabilities who needs prosthetics-orthotics and physiotherapy services in country is estimated to be about 43,211 out of 864,218. The figure may even be greater than estimated.

Nature of physical rehabilitation services currently provided

89. The physical rehabilitation services currently provide the following services, components and mobility devices:

- Provision of lower limb prosthesis services;
- Provision of lower limb and upper limb orthotics production services;
- Provision of crutches;
- Maintenance services;
- Trunk orthotics;
- Orthopedic footwear;
- Wheelchairs and other motor vehicles.

Article 21 – Freedom of expression and opinion, and access to information

90. No legislation has been passed specifically on Freedom of expression and opinion, and access to information with regard to persons with disabilities. However, persons with disabilities enjoy same rights guaranteed under article 29 of the constitution. Considering that people with hearing impairment have no access to public information presented by Ethiopian radio and television provides daily news coverage in sign language. Further to this, the Ethiopian Television channel (ETV) has a weekly 30-minute regular program broadcasted in sign language. The news coverage and the program on TV represent a useful means of raising social awareness in addition to the provision of general information for the deaf. On the other hand, people with hearing impairment have been able to access to parliamentary debates, speeches made by the president and prime minister as well as strategic and annual development plans of the country presented to the parliament and the public. These events are broadcasted live in sign language. People with hearing impairment also follow live as the prime minister presents annual and other national plans, reports their implementation and any other occasions on which he addresses the public on any other current issue as the whole process is communicated in sign language.

Article 22 – Respect for privacy

91. No special measures have been taken in this respect.

Article 23 – Respect for home and the family

92. This article recognizes the right of persons with disabilities to marriage and to found a family, to decide freely on the number of children to have, and to retain their fertility on an equal basis to others. The Central Statistical Agency issued a disability orphan hood analytical report in 2011 giving on the marital statistics of persons with disabilities. The report indicated that the 2007 Population and Housing Census classified persons with disabilities in five categories, namely never married, currently married, divorced, separated, and widowed. According to the marital status data result, the never married, currently married, divorced, separated, and widowed was 34.41, 44.54, 6.50, 1.88 and 12.4 respectively. The statistical report showed that the proportion of currently married males (54.77 percent) was much higher than the corresponding proportion among females (32.81 percent).

93. The report indicates that around 65 percent of persons with disabilities have married at least once in their lives. This fact, in turn, tells us that the marital status record of persons with disabilities is not that bad in Ethiopia. It means that most of them are exercising their right to marry as stipulated under article 23 of the Convention and article 16 of the Universal Declaration of Human Rights. They form their marriage and family with full and free consent. The free consent requirement cannot be ruled out because the family code of the country requires consent as one of the essential conditions of marriage. Article 6 of the 2000 revised family code provides that "a valid marriage shall take place only when the spouses have given their free and full consent. This rule on the condition of marriage is also valid for persons with disabilities with no exception. It is true that one may not underestimate the socio-cultural influence upon one's decision to have a partner. Yet, despite such barrier, we see that significant portion of the disability population freely form marriage. The social and cultural challenge seems more serious for women with disabilities. But even in their case, the statistical data is not so bad. Forced sterilization is not practiced in Ethiopia. Nor is there an official limit to the number of children a family may have. Consequently, the Government has not taken the issue so seriously and did not see the need for making special law on it.

94. Boys and girls with children are not separated from their parents and taken to institutions. Institutional homes established for providing care during previous regimes are all deinstitutionalized and at present there is no government institution established or providing service for this purpose. Nevertheless, for reasons associated with awareness level, family poverty, insufficiency of technical and professional support in the local communities, in most cases, boys and girls with disabilities tend to leave their parents and migrate to cities and towns in search for better living environment and specialized services.

Article 24 – Education

95. While children with disabilities began to attend modern education classes in Ethiopia, a bit earlier, only few had the opportunity for schooling. Through time, the number increased relatively. Today thousands of them are at school. The policy and strategy initiatives taken by the Government have widened the educational opportunity of children with disabilities. While the coverage is still limited, a great deal of improvement has been made by way of bringing more children with disabilities to school. The 2006 strategy on special needs education has been revised in 2012 following the ratification of the Convention by Ethiopia. The issue of disability has been included in the fourth education sector development program. By now, a detailed directive has been developed and circulated among regional states for implementation. On top of that, affirmative action directive had been issued to encourage students with disabilities.

96. In furthering higher education and draft technical and vocational training of persons with disabilities, the Government has included disability-specific provisions in two important pieces of legislation, namely, the higher education proclamation and the technical and vocational training draft legislation. Children with disabilities attend classes in inclusive setting. A national Council on inclusive education and training has been set up to promote inclusive policy and the special needs education strategy throughout the country. All DPOs are represented in the council. DPOs were also well-involved in the process of the development of strategy and implementation directive. At present, around 60,789 students with disabilities are attending class in primary to secondary schools. Most of the students are attending classes under the inclusive education program. Yet, some special schools for the people with hearing impairment and the people with visual impairment still exist in the country. However, no child with a disability is forced to join those schools. In fact, some of the schools are being transformed to resource centers to be used by people with visual impairment who attend regular schools in the vicinity. Two schools for people

with visual impairment, which were run by the National Association of the Blind for many years, are, now, in the process of such transformation. The Ministry of Education has taken over the administration of the schools for a period of two transitional years. It has been planned that upon the expiry of the two years period, the schools are expected to be changed completely to resource centers to be used by the students enrolled in the regular schools around.

97. The Government's direction is towards inclusive education, in which case the special school arrangement is discouraged. However, most parents tend to prefer to send their children to such schools for lack of facilities in their localities. Despite increasing preference by parents to send their children to special schools, the Government intends to change this trend in the interest of the large population of other children who miss schooling opportunities for lack of space in such schools. Under the special school tradition, only few of the students are admitted due to the limited accommodative capacity of the schools. As the community takes the special schools as a sole option for educating such children, those who do not have the opportunity to be admitted to such schools remain home or relegated to street life for lack of option.

98. With respect to special schools for the people with hearing impairment, no effort has been made yet to transform them to resource centres or regular schools. This is because on the one hand, the national Association of the deaf is concerned about the implementation of inclusive education in the country. In the opinion of the association, children with hearing impairment are unlikely to get quality education in an environment where there are no teachers sufficient skilled in sign language. The association has also more grounds of argument to show the difficulty of teaching children with hearing impairment under inclusive education setting. One is that not all deaf children have uniformly similar educational needs. Inclusive education may not be appropriate to all alike. Some of them may need an alternative approach of learning. Children who are born with hard of hearing are not, for instance, able to attend inclusive classes. Moreover, there are no sign language training centres or institutions which support effective provision of inclusive education for children with hearing impairment.

99. Besides, the school environment and culture has not yet changed to the positive to accommodate such children. This means the attitudinal problem prevailing at schools, is not yet hard of hearing-friendly. The association argues that there are still schools that decline to admit children with hearing impairment. In addition, the teaching methodology employed for teaching children with hearing impairment is not yet developed. The mainstream teaching methods used in regular classes do not fit the needs of children with hearing impairment. These concerns voiced by the Ethiopian National Association of the Deaf may sound valid. Nevertheless, on the part of the Government, the understanding is that it is hardly possible to achieve full inclusion immediately. Nor is it possible to achieve a perfect academic environment given that Ethiopia is yet in the process of development and lacks full technical facility to implement inclusive education. It is also essential to understand that inclusive education cannot start from a perfect academic environment. In fact, no education is provided in a perfect setting. Hence, the official view is that while serious challenges undeniably exist, the right of children with hearing impairment to inclusion should be respected with intensive and continuous effort to cope with such challenges. The Government of Ethiopia is concerned that children with hearing impairment may remain segregated if we have to wait for the proper environment to come. What is recommended, therefore, is to work towards inclusion while struggling for the creation of better educational environment.

100. The preparation and effort to minimize the challenge associated with the implementation of inclusive education is already underway. Over the last many years, various teachers' training institutions have been providing courses on sign language and

Braille in an attempt to promote inclusive education and create a disability-friendly class environment. So far, Braille and sign language training for teachers has been mainstreamed at – colleges. In order to increase access to education for children with disabilities, the Government has taken some useful measures. Five universities and five colleges are graduating professionals from diploma to doctorate level. All prospective teachers trained at colleges are required to take common courses in Special Needs Education so that they can support students with disabilities in regular classes.

101. The Ministry of Education is preparing to transcribe textbooks into Braille. Sign language is being used in plasma class presentation for those who are attending senior high school education. The community of two people with hearing impairment and one people with visual impairment school has received training in Braille so as to develop their special skills. All the regions have been technically assisted in their effort to develop a three-year Special Needs Education strategy. The issue of disability has been a feature in the annual educational bulletin to promote awareness. Various seminars have been organized for 8,000 participants to educate them on the rights of children with disabilities and the nature of special needs education. Around 9,000 school directors, teachers, experts and parents have received orientation on inclusive education and the rights of children with disabilities.

102. In order to ensure availability of data and information in the field, the ministry has carried an assessment study on the situation of trained and untrained teachers. In addition, another study was conducted on behavioral problems of students with disabilities with a view to dealing with the cause and effect of such a problem. A decision has been reached at the ministerial level that special needs education be one agenda at every annual national education conference. While all regional states took useful measures in education, an example of one region may indicate the progress made in 2010 and 2011. In regional states, 60 teachers have been trained in Braille and sign language. 60 sign language dictionaries have been circulated to schools.

Article 25 – Health

103. The five-year strategic plan for intensifying multisectoral HIV and AIDS response in Ethiopia includes disability, universal access, anti-HIV/AIDS services, training materials on peer-to-peer education in Braille and circulated through the federation and disability association, brochures on HIV and disability prepared and circulated. Moreover, a training of trainers was organized for 63 deaf people in advocacy within the context of HIV/AIDS prevention and control. Nearly 400 persons with disabilities received free medical treatment in regional states.

Article 26 – Habilitation and rehabilitation

104. Article 41 (5) of the constitution provides for the responsibility of the state for the provision of necessary rehabilitation and support services for people with disabilities. To put this constitutional provision in to effect, a piece of legislation was made to ensure availability and supply of rehabilitation tools and equipment for use by persons with disabilities. The custom tariff regulation guarantees exemption from custom tariffs. Pursuant to the regulation, those organizations that import items for the purpose of rehabilitation and habilitation of persons with disabilities pay no custom duty on such appliances as ICT equipment and devices, Braille materials, wheelchairs and other mobility devices, hearing aids, etc.

105. On the basis of the legislative support and privilege, a number of NGOs are importing the appliances and distributing among beneficiaries. Government and non-

government rehabilitation centers are trying to expand the service throughout the country. By now, the country has 16 physical rehabilitation service centers in six regional states and two administrative cities government in the country. Those regions with no physical rehabilitation facilities are also in the process of establishing the centers. At present, the number of persons with disability who needs prosthetics-orthotics and physiotherapy services in country is estimated to be about 43,211 as of 864,218. The figure may even be greater than estimated. Details have been given under article 20 above and Annex four.

106. Ethiopia signed the Anti-Personnel Mine Ban Convention (Ottawa Convention) in 2004 and deeply involved in the implementation of the Cartagena Plan of Action (2000–2014). Realizing that the country is amongst mine affected countries with significant number of mine victims, attention is being given to land mine survivors. They are treated equal in their socio-economic and political participation. The Government encourages their inclusion in all walks of life including physical rehabilitation and community based rehabilitation.

Community-based rehabilitation

107. The Government of Ethiopia promotes community-based rehabilitation as a possible strategy for the rehabilitation of persons with disabilities. Consequently, the National Program of Action recognized the importance of this strategy and given it due coverage. A program on all matrix of community based rehabilitation is currently replacing the traditional ones. A wide area of advocacy and awareness activities is underway in this part of the intervention. The physical rehabilitation centers have been distributed in regions so that it is possible to support community- based initiatives. Training of professionals and staff working in the habilitation and rehabilitation service is of crucial importance both to extend the coverage and increase the quality of the service. At present, we observe a wide gap of, and high demand for trained manpower in the field of prosthetics, orthotics, physiotherapy and occupational therapy.

108. Considering the need for more trained manpower, the Government has taken measures to ensure availability and deployment of professionals. Over the last two years, 97 students have been admitted to universities in the fields of physiotherapy, orthopedics and prosthetics. 69 of these students is receiving training at diploma level while the remaining are prospect graduates in degree program. Upon completing their training, the graduate is placed in relevant areas in the respective regions to support rehabilitation services.

109. Apart from physical rehabilitation, some measures have also been taken in the area of economic empowerment. Addis Ababa City Administration provided financial support for those persons with disabilities trained at rehabilitation centers and qualified to lead an independent life in the society. In 2010, 258 persons with disabilities who received rehabilitation at some of the centers enjoyed a financial support of 891,906 birr to purchase wheel chairs, orthopedic and prosthetics materials.

Article 27 – Work and employment

110. The Government of the Federal Democratic Republic of Ethiopia has taken some useful legislative and practical measures particularly in the following areas:

- Prohibition of disability-based discrimination;
- Protection of the rights to equal opportunities and equal remuneration;
- Promotion of opportunities for self-employment and entrepreneurship;
- employment in the public and private sectors;

- Provision of reasonable accommodation and affirmative action (art. 27 1 (a), (b), (f), (g), (h) and (i)).

111. In general it should be admitted that unemployment of persons with disabilities is one of the serious development challenges of Ethiopia. Assessments carried out at various occasions showed that the vast majority of working age persons with disabilities is unemployed.

112. So far, not all fields of study and training areas are open to them. Although there is no official restriction to, or discrimination against their right to employment in any field, they are not yet significantly visible and fully participating in all areas of employment. At present, the Government is the principal employer of persons with disabilities. At this stage, the private sector does not seem to be a significant provider of jobs for persons with disabilities. Lack of confidence in their productive abilities on the part of the private employer seems still prevail. The nature of the structure of the economy may also be taken as one possible factor for low level of employment of persons with disabilities. Agriculture make up for the dominant share in the general economy. Most of the population earns life on subsistence farming. But few persons with disabilities are engaged in the sector probably because the way agriculture is done is so traditional requiring rigorous dexterity, that it is not conveniently carried out at least by some persons with disabilities like the blind, deaf-blind, and physically disabled. But still, it is encouraging to see a few person affected by leprosy and deaf do husbandry and farming.

113. In an attempt to guarantee the employment right of nationalities in general and persons with disabilities in particular, the Government has already taken some practical and legislative measures to address unemployment and create access to jobs and job markets. Article 41 (1) of the constitution provides that "Every Ethiopian has the right to engage freely in economic activity and to pursue a livelihood of his choice anywhere within the national territory". Sub-Article 6 of the same article also provides that "the state shall pursue policies which aim to expand job opportunities for the unemployed and the poor and shall accordingly undertake programs and public works projects". Article 41 (7) also stipulates that "The state shall take all measures necessary to increase opportunities for all nationalities to find gainful employment". The principle of equal payment for equal work is ensured under article 42. In its effort to realize these constitutional rights of persons with disabilities, the Government has taken legislative and practical measures that have significantly contributed to the promotion of the employment right of persons with disabilities.

114. Three pieces of legislation are of particular importance: these are proclamation for the employment right of persons with disabilities, federal civil servants proclamation and value added tax regulation No. 79/1995. The first one is very useful in many of its aspects: first, it serves as an anti-discriminatory legislation since it has officially prohibited any form of disability-based discrimination. Secondly, it introduced the idea of "reasonable accommodation". Thirdly, it has modified the conventional rule of evidence in favor of persons with disabilities in discrimination court cases by shifting the burden of proof to the employer. The employment laws apply both to the public and private sector. In order to facilitate its effective implementation, the Ministry of Labor and Social Affairs has issued a directive and circulated among all those concerned.

Affirmative action and reasonable accommodation

115. Measures have also been taken to ensure affirmative action and reasonable accommodation in the promotion of employment of persons with disabilities. Article 13 of proclamation No. 515/2007 provides for special preference in the recruitment promotion and deployment among others of qualified candidates with disabilities. A disability-specific clause has been included in the federal civil servant proclamation to provide for a

preferential right of persons with disabilities. It provides that, "There shall be no discrimination among job seekers or civil servants in filling vacancies because of their ethnic origin, sex, religion, political outlook, disability HIV/AIDS or any other ground". It also introduces an affirmative discrimination in favor of persons with disabilities by stipulating that "Notwithstanding the provision of sub-article 1 and 2 of this article, recruitment, promotion and deployment preference shall be given to:

(a) Female candidates;

(b) Candidates with disabilities;

(c) Members of nationalities comparatively less represented in the government office having equal or close scores to those other candidates.

The legislator makes a reference to the definition of disability under other laws for the purpose of application of this provision. Obviously, the reference concerns the definition given under the employment right legislation. That is the only piece of law that has officially defined disability through the adoption of the one used by the Convention on the Rights of Persons with Disabilities.

116. In order to make the employment laws more effective, the Ministry of Civil Service has prepared a draft directive. The draft directive is now ready to be circulated and is hoped to address details it seems that the idea of reasonable accommodation has already been formally adopted by the law. Employers are required to take measures with a view to applying the reasonable accommodation requirement as stipulated in the h law. So far, we have seen that a number of government offices have implemented this rule. Most of the employing organizations which blind people work for, have employed assistants and readers to each of them. This has been practiced in those public offices where there is more than one blind employee. We have also seen that some employers, such as the Ministry of Civil Service, the Ministry of Science and Technology, the office of public communication, the Ministry of Women, Children and Youth, etc., have provided assistive technologies like JAWS software to facilitate their work. Similarly, Sign language interpreters have been employed for deaf experts and officers working in government organizations their number are not so large though.

117. A number of ministries and agencies are building their new offices. In this process, they reported that the offices under construction are accessible as required by the Ethiopian building code. The value added tax regulation also contained a provision relevant to the employment of persons with disabilities. According to this regulation, employers enjoy a tax reduction privilege if persons with disabilities make up for more than 60% of their staff. Persons with disabilities face challenges not only at the level of recruitment. Experience tells that they have difficulties also at work. One serious problem confronted in this respect concerns unfair dismissal. An employee with a disability may be victim of unfair dismissal for various reasons. In such a case, employees with disabilities are entitled to seek remedy by bringing their case to an administrative tribunal established under the Ministry of Civil Service. It is also fortunate that one of the sitting judges in the administrative court is currently a woman with a disability. Remedy has been put in place to protect workers with disabilities from unfair dismissal.

118. Any employee whose contract of employment has been terminated and dismissed may bring his/her case to an administrative tribunal established in the Ministry of Civil Service. The tribunal examines the case and may take corrective measure if any wrong has been done in the decision of the office on ground of disability. To give an example, three cases were considered by the administrative tribunal over the last few years. Applicants were deaf, blind and physically disabled persons. In the two of the three cases, the administrative court decided in favor of the applicants. The demotion and dismissal decisions were corrected. In the third case, the court held that there had been no disability-

based discrimination and dismissed the application. These cases are indicative of the usefulness of the legal safeguard available in protecting persons with disabilities against unfair and illegal dismissal and discrimination.

119. It is also important to note that in an attempt to protect blind teachers against unfair evaluation and dismissal, the Ministry of Education took some practical measures at least in a few schools. Each school is required to use disability-friendly evaluation criteria so as not to prejudice teachers through the application of measurements which do not applicable to them.

120. Private employment initiatives: Regional Bureaus took some initiatives in terms of economic empowerment of persons with disabilities. This has been undertaken mainly through engaging persons with disabilities in different micro and small business enterprises. The bureaus facilitated access to start-up capital, market and credit services.

Article 28 – Adequate standard of living and social protection

121. To ensure adequate standard of living of persons with disabilities, the Government has taken some policy and practical measures. One essential tool adopted for aiming at improving the life of the communities in general is through the transformation of the entire society in all aspect of life. To this end, the Government of the Federal Democratic Republic of Ethiopia has been adopted and implementing a five year Growth and Transformation Plan (GTP) since 2010. The multifaceted plan outlines major focus areas of development with specific target groups. The GTP has identified Persons with disabilities as one focus group. The thematic area of infrastructure has included the issue of accessibility. The two year performance has just been evaluated and the progress made particularly in physical rehabilitation was found encouraging (see the information under articles 20 and 26 of this report). Its impact upon the lives of persons with disabilities is hoped to be assessed. Undoubtedly, the overall performance of the comprehensive plan will bring about considerable change in the standard of living of persons with disabilities. Currently the country is in the process of formulating a Comprehensive Social Protection Policy in which the poorest of the poor, the vulnerable and the marginalized sector of the population could be addressed through mechanism of Social Assistance, Social Insurance, Basic Social Services and Social equity.

122. A very important breakthrough in the implementation of the GTP, the Government has developed the Ethiopian ten-year National Plan of Action (NPA) of Persons with Disabilities, issued in 2012. The NPA rests on the principle of inclusion. In this document, it is stated that "The NPA is based on a vision of a fully inclusive Ethiopian society, where children, youth and adults with disabilities, regardless of gender or kind of disability, as well as their parents and families, enjoy the same rights to participate in the same civil, political, economic, social and cultural spheres and to access the same medical, educational, social services, training, work and leisure opportunities enjoyed by other nationalities. In such an inclusive society, people with disabilities are accepted, their abilities are valued, their diversity and independence are recognized, their human rights are protected, and they participate actively in the life and development of their communities and the nation".

123. The NPA is based upon the principles set forth in the Convention on the Rights of Persons with Disabilities and the policy and legal framework of the Government of Ethiopia. Implementation of the NPA is underway and some efforts are being made to mainstream the principles of inclusion in the program of relevant institutions. All of the eight national DPOs in the country are encouraged to participate in the implementation of the NPA through their representatives in the national and regional committees. Their implementation capacity is being promoted through the provision of government budget and financial support from development partners. The strategy for the implementation of

the Ethiopian NPA follows a twin track approach where one of the twin tracks focuses on mainstream programs and services which are not specifically designed for persons with disabilities. The other track that focuses on disability-specific programs and services addresses individual needs.

124. Parallel to such strategic undertakings, various activities are exercised by the Government throughout the country. Though, it seems a little bit difficult to enumerate all, some of them can be cited as an example just to show the trend. As part of its effort to alleviate the housing problems of persons affected by leprosy, the Government gave out plots of land to 386 families in seven towns. The plots of land were given to persons affected by leprosy free of charge. The families who are now leading a dignified life in the houses constructed on the plots of land given by the Government had been living in a degrading situation with no shelter suffering with their children.

125. The Government also supported about 361 individuals affected by leprosy already to organize in to cooperatives. Members of such cooperatives have been able to earn their living on the income gained from the economic activities carried out. Moreover, around 2,912 persons with various disabilities received from the Government financial and technical support to enable them to engage in gainful activities. Not all of those who enjoyed government support managed well: but significant number of them is still making life on the income earned from the small businesses they have launched. Around 350 persons with disabilities received entrepreneurship training at various times during the last two years. The purpose of the training was to assist the trainees in the realization of their potential for business and support themselves and their family. The Government has also provided financial support for 160 women and 310 men living in Southern Nation, Nationalities and peoples region so as to facilitate their effort to be engaged in income generation activities and small scale business. About 1,135 individuals who have severe disability and are unable to be engaged in any kind of gainful activities have received 521,156 birr for monthly subsistence. Besides, the social security legislation effective as of 2010 has guaranteed a special privilege for youth with disabilities. Under normal circumstances, no person who is eighteen and above qualifies for survivors benefit upon the death of his/her parents. Yet, this age limit has been extended to 21 for survivors with disabilities. In its effort to extend the social protection service, it was able to support 38,464 persons with disabilities.

126. As part of the effort in the process of social protection measures in the country, Social Cash transfer has been started on pilot basis which has covered a wide area of the regional state of Tigrai. The expansion of this pilot program to other regions is underway.

Reasonable accommodation for the promotion of equality

127. The Government of the Federal Democratic Republic of Ethiopia realizes that Reasonable accommodation is an important means of promotion of equality and elimination of disability-based discrimination. Hence, in this connection some legal measures have already been taken. The employment proclamation in both public and private sector provide for the requirement of reasonable accommodation. The directive issued by the Ministry of Education provides that students with disabilities taking national exam to join university are supported to succeed in affirmative action. Considering the historic and practical marginalization and lack of short supply of educational logistics, the passing mark has been lower than the one set for other non-disabled students at the university entrance examination. Blind girls enjoy double scale lowering so that they can join higher education institutions to make up for their disadvantage in getting educational material in sufficient supply. This measure has enabled a number of several students with visual impairment to join universities and graduate for further employment. On the other hand, the federal civil

service law provides for a preferential treatment of persons with disabilities in the recruitment process of job applicants.

128. When a person with a disability applies for a job with other non-disabled competitors and his/her result comes to be very close to the other non-disabled applicant, the applicant with disability is preferred against the other non-disabled winner with a narrow range. The idea behind such affirmative clause is that persons with disabilities have not yet attained the required level of job opportunities and therefore need to be supported even at the cost of winners with no disabilities in so far as the formers have scored marks good enough to fall within a small range and with small margin. Furthermore, recently, a special directive has been issued by the charities and societies legislation to the effect that any organization employing persons with disabilities enjoys incentive in that the salary for the staff or professional with disability will be accounted to be a program cost, not an administrative one. According to the civil society law of the country, the expense of staff salary is deemed to be part of administrative cost which will determine the balance between the programs or operational and running cost. The justification is that more expenditure should go to program activities, in which case the project beneficiaries will benefit more from the development budget. The recent piece of legislation represents an attempt to promote the employment of persons with disabilities and indirectly promoting equality through affirmative action. The directive also contains provisions to the disadvantage of DPOs by considering some items to be program cost, which otherwise, are program expenses if it were for other organizations than DPOs.

Article 29 – Participation in political and public life

129. In the present day Ethiopia, public and political participation of individuals and social groups is highly encouraged not only because it is useful for the participation agents, but also because it is beneficial for the development of the country. In fact, this was one of the fundamental objectives of the change in political system of 1991. The whole effort is made to build a society where all people participate equally in all sphere of life. As a social group with the productive potential and contributing nationalities, persons with disabilities are entitled to take part in the entire life of the country. It is particularly important for them to participate in national elections in which they vote for the kind of governments they want to see established. In recognition of their electoral right and appreciating their active role in the process, the Government has taken some legislative and practical measures that facilitated the exercise of their voting rights. The House of Peoples' Representatives (parliament) amended the electoral legislation for, among other things, matters concerning persons with disabilities. The revised legislation has now a provision that responds to the specific needs persons with disabilities. Article 36 (6) of the proclamation reads as follows: "The disabled and the blind that are eligible shall be registered in person accompanied by their assistants".

130. This legal provision guaranteed the right of persons with disabilities to vote in the manner specific to their disability condition. It also protected them against possible discrimination at poll stations. To further ensure effective exercise of their legal right, the electoral board in collaboration with the Federation of Ethiopian National Associations of Persons with Disabilities, provided trainings for election officers both at the federal and regional level. Persons with disabilities themselves gave the trainings while the electoral board provided the financial support. Through the training and orientation, the election officers were able to improve their understanding on how to treat voters with disabilities at poll stations. They got useful solutions to practical questions they had in mind concerning person with disabilities. The trainings also served as good opportunities for the officer to be reminded of the equal voting right of persons with disabilities. The themes included the constitutional and legal right of voting of persons with disabilities, the rationale and

practical significance of participation of persons with disabilities in elections, accessibility at poll stations, privacy of voting, etc.

131. One more important strategy of promoting the participation of person with disabilities in political and public life is supporting them in establishing and strengthening their associations at all levels. In this respect, the Ministry of Federal Affairs and regional states have made a great deal of effort to support the existing DPOs and forming new ones. The ministry provided training for 20 men and 16 women DPO leaders on partnership, entrepreneurship and the application of the civil society legislation. Around 128 local and regional disability associations have been strengthened in one regional state. In the same region, 105 cross-disability associations are reported to have been formed. In another member state, 24 DPOs received material and financial support from the Government. In Benishangul, one regional and four district level associations were set up. In Gambella, one disability association has been organized. In afar region, two disability associations have been established at district level. In Addis Ababa, the City Administration assisted 55 women and 145 men in their effort to organize an association of their own.

132. All in all, about 530 DPOs were established and strengthened. And speaking of opportunities for public positions, one may say that good number of persons with disabilities is serving in such important official capacities. Unfortunately, no data is available to tell the exact figure. An attempt was made through the Ministry of Civil Service to gather data on the number of persons with disabilities who are employed including their positions. For no reason, ministries and agencies could not compile the data and maintain disability-specific data. Currently, there are four MPs who stood for election and duly elected for the position.

Article 30 – Participation in cultural life, recreation, leisure and sport

133. It is vital that persons with disabilities participate in cultural, recreational and sport activities. In this respect, Ethiopia has not yet gone far yet. Nevertheless, a few measures have been taken to ensure the participation of persons with disabilities in sport. A Paralympics committee has been set up to work on the promotion of the participation of persons with disabilities in sport. The Paralympics committee is chaired by a person with disabilities, who is a parliamentarian and chairman of the standing committee on law and administration affairs in the parliament. The committee organized annual sport events at which persons with disabilities participate. At such competitions, each region comes with its team and competitions are carried out in various games including athletics. Apart from the domestic matches, the Paralympics committee has made significant effort to enable Ethiopia to participate in international Paralympics games. One notable example in this regard is the country's participation in the latest two Paralympics, Beijing and London. In the 2008 Beijing Paralympics, Ethiopian was able to get diploma and won medal in the London Paralympics.

134. The Government has allocated a total of birr 1.6 million for participation in the London 2012 Paralympics. To encourage more people with disabilities to participate in sport activities, wheelchairs were provided for those persons with physical disabilities who were interested in taking part in contests. Among persons with disabilities, eighty five referees were trained. The participation of persons with disabilities, not only as contestants, but also as referees gave them a chance to develop skill and aptitude among them. 202 persons with disabilities trained in athletics and weight lifting. Addis Ababa City Administration held annual sport matches at which various disability groups participate. In the last two rounds of sport festival, 2,260 persons with disabilities participated in 7 types of contests. Over 64,000 spectators watched the competitions. At all occasions, the events attracted public attention and served as excellent opportunities for many to learn about

disability and abilities. The special prizes and certificates were awarded for the winners of the competitions.

135. In other regional sport events of persons with disabilities that took place in the years 2010 and 2011, nearly 10,000 spectators were in attendance. The large population at the events was a great morale boost for persons with disabilities who were taking part in the matches. Apart from sport, it was recognized that the issue of disabilities should also be considered in the area of tourism. Accordingly, the Ministry of Tourism and Culture is preparing audio and video materials about tourist sites. Moreover, the issue of sisability has been included in the standardization process of institutions of tourism services.

Article 31 – Statistics and data collection

136. Statistical and research data on disability is essential for the development of proper policy and effective implementation of same. Policy formulation is difficult in the absence of reliable data on disability. Nor is it simple to implement programs and projects while the required information and data is lacking to show the population size, sex distribution, economic status, educational coverage, etc., of persons with disabilities. With this justification in mind, the Government has taken some measures to collect data and information on the general situation of persons with disabilities in the country. The data gathering task was carried out at two levels. First, both the second and third national census considered persons with disabilities as a social group and included disability-specific demographic information. In fact, the 1994 census result did not come to the satisfaction of the disability organization for various reasons: first, the associations were not happy with the census report claiming that the disability population was underestimated. Secondly, they were not involved in the process of the preparation and actual work of the census process. Despite such shortcomings, the report was produced with some information on disability.

137. The population and housing commission learned from the experience in the second census that was conducted in 2007 and involved DPOs in the process. This time, the office of Population and housing commission facilitated the participation of the organizations of persons with disabilities. Hence, the Federation of Ethiopian National Associations of Persons with Disabilities was invited to be part of the advisory team. The census report again had information on persons with disabilities. It is true that persons with disabilities were not still fully content with the result more particularly with the disability population size. The census report indicated that persons with disabilities of various categories were 864,492. The reasons why disability associations decline to accept the result is that the figure is significantly less than the global estimate calculated at the rate of 15% of each national population. Again, despite such concerns, the report was undeniably useful in providing some understanding about the general situation of persons with disabilities.

138. Following the ratification of the Convention, another important initiative was taken to produce an exclusive analytical report on disability in the year 2011. This 120 page disability and orphan hood analytical report was devoted exclusively to disability and elaborated on the definition, category, identification of the respective causes of disability; analyzing the economic, social and educational conditions of the group. The report has been in circulation since then and hoped to serve research, development and other purposes throughout the country. The report was based on the census carried out in 2007 and did not change the final figure of the main census. However, it provided a detailed analysis and has been presented in such a way that policy makers, development practitioners, DPOs and other civil society stakeholders can obtain the information required for their purpose. The census data is also disaggregated along with the respective disability category. The data is disaggregated not only along with disability type: it also has been specific to sex, age, regional distribution, ethnic distribution, etc. Special care was taken to ensure that the data

collection process was conducted in compliance with the principles of privacy and respect for human right.

139. In addition to the disability data obtained through census, further initiatives were also taken by some other organizations and agencies to generate disability information through research. Addis Ababa City Administration, for instance, conducted a city-level assessment on the general situation of persons with disabilities. The assessment covered a study population of 18,076 out of which 10,003 are males and 8,073 are females. On the basis of the study report, the city Administration has planned to prepare a rehabilitation package to be implemented in line with the real needs and aptitudes of persons with disabilities. A strategy to develop modern management information through e-service and web portal means to have disaggregated data of all kinds of disability is already in the process. This effort will definitely resolve the challenges the country faces with regard to statistical information and data about persons with disability.

Article 32 – International cooperation

140. While the Government of Ethiopia is committed to finance disability programs out of its own coffer, it, at the same time, recognizes the need for international cooperation in filling the resource gaps. It is also in line with the political philosophy of the Government that every nationality including persons with disabilities entitled to have access to any development assistance made available to Ethiopian through bilateral and multilateral agreements. In this respect, some effort has already been made to ensure that international development partnerships also include persons with disabilities. One example is the educational support program run in collaboration with the Government of Finland. The Ministry of Education has been implementing a special needs education program over the last many years in collaboration with the Government of Finland. The program has continued even after ratification of the Convention by Ethiopia in 2010. The special needs education program is one important component of the general bilateral development agreement.

141. The participation of persons with disabilities in the design and implementation program is also useful not only for the purpose of supporting persons with disabilities, but also to help the country benefit from their potential expertise. Consequently, persons with disabilities and their organizations were given the opportunity to contribute to the process of the development of the current Growth and Transformation Plan of the country. This is a core national development strategy document developed two years ago and remains effective till 2015. The Federation of Ethiopian National Associations of Persons with Disabilities and its member DPOs were involved beginning from its initial stage and at all the levels thereafter. Their active participation resulted in disability being included in the national development plan. Admitting the wide gap in mainstreaming disability, the Government of Ethiopia is encouraged in its move towards that goal. In an attempt to mainstreaming disability, the office of the head of the regional state in the South Nation, Nationality and people regional state, circulated letter to 14 zones and 4 special districts requiring them to address disability in their general development works. The zones circulated letter to 220 districts for focal person and budget.

142. To include the disability in 2005 year annual plan, regional secretariat convened 30 experts and 6 DPOs one day awareness workshop. Regional administrative structures will necessarily act on the basis of the circular passed down by the office of the head of the regional state. The zonal administrations have already instructed the 220 districts to allocate resource for disability programs. It is hoped that other regional states will follow this example and work towards mainstreaming in strengthening their previous effort they have made within their respective mandate.

Article 33 – National implementation and monitoring

143. Upon ratification of the Convention, the Government of Ethiopia immediately designated the Ministry of Labor and Social Affairs as a focal point for matters relating to the implementation of the Convention. As part of its effort to discharge its responsibility, the ministry on its part has set up a national committee comprising most of the executive sector with due involvement of key stakeholders in the civil society. In order for the committee to have a sound legal basis, it has been set up under a ministerial directive, which is one important form of law. The mandate and power of the committee may be revised as may be necessary and convenient in so far as it becomes useful for effective implementation and monitoring of the Convention. Following the Federal model, the regional state of South Nations, Nationalities and Peoples has set up a task force on the implementation of the Convention in the region. Implementation and monitoring mechanisms may be subject to modification at any time so that they can fit in federal and regional state realities. The task force established in the region comprises 14 sector offices and 6 DPOs. The anticipated function of the task force is to facilitate implementation and follow-up. This task force will follow up on the implementation of the Convention.

144. The Ethiopian Human Rights Commission is mandated to supervise the implementation of all human right treaties that the country has ratified. Hence, the commission will be in charge of this function in collaboration with the Ethiopian Institution of the Ombudsman. The Ethiopian Institution of the Ombudsman also enjoys the same supervisory or monitoring power in relation to the implementation of human right treaties. The Ethiopian Human Rights Commission is an independent body accountable to the parliament. Its powers, structure and functioning meets the Paris principles on the status and functioning of National Human Right Institutions. The establishment of a framework including one or more independent mechanisms, as appropriate and measures taken to promote, protect and monitor implementation of the Convention, taking into account the principles relating to the status and function of national institutions for the protection and promotion of human rights.

145. The Government of Ethiopia recognizes the crucial role of the civil society more particularly persons with disabilities and their representative organizations in the monitoring process. For this reason, all DPOs and their umbrella Federation have already been included in the national monitoring committee. Some members of the civil society are also part of this structure. Membership is open and there is always a chance for new membership for any relevant institution. The involvement of these bodies is hoped to facilitate the effective implementation of the Convention. The expertise and technical advice of DPOs is particularly of great importance. Civil society and DPOs have been intensively involved in the process of the preparation of this report. As noted in the introductory part of the report, the organizations participated in the inception workshop as well as the final draft report presentation session. Their involvement enabled the Government to prepare a realistic report. On top of that, DPOs contributed to the development of this report by submitting performances carried out with the close support of the Government. Their inputs have significantly enriched the document.